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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUDY RAE JARVIS,

Defendant.

) **Case No. CR 11-00146 SBA**

) **STIPULATION AND**
) **~~PROPOSED~~ ORDER TO**
) **CONTINUE STATUS CONFERENCE**
) **TO OCTOBER 8, 2013 AND TO**
) **EXCLUDE TIME**

The parties are scheduled to appear before the duty magistrate for a status conference on September 10, 2013. The parties have previously requested additional time to allow the defense to review and investigate discovery to produce discovery which has been done. The government produced additional reports on August 29, 2013 as a result of the defense production. Now the defense needs additional time to review the new discovery and investigate based on that production. For this reason, with the agreement of counsel for both parties and the defendant, the parties now stipulate and ask the Court to find and order as follows:

1. That the matter shall be set for status conference before the duty magistrate for October 8, 2013 at 9:30 a.m.

2. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from

September 10, 2013 to October 8, 2013. Failure to grant the requested continuance would unreasonably deny defense counsel and government reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for defense counsel to review newly produced reports and to conduct investigation arising from that discovery which relates to potential tax fraud charges the government may seek in an anticipated superceding indictment or information.

3. Given these circumstances, the Court finds that the ends of justice served by excluding the period from September 10, 2013 to October 8, 2013, outweigh the best interest of the public and the defendant in a speedy trial and filing of an indictment or information. 18 U.S.C. § 3161(h)(7)(A).

4. Accordingly, and with the consent of the defendant, the Court orders that the period from September 10, 2013 to October 13, 2013, be excluded from the Speedy Trial Act calculations and under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO STIPULATED:

Dated: August 30, 2013

/s/
BRIAN C. LEWIS
Assistant United States Attorney

Dated: August 30, 2013

/s/
DEBORAH G. LEVINE
Attorney for Judy Rae Jarvis

IT IS SO ORDERED:

Dated: 9/3/13


KANDIS A. WESTMORE
United States Magistrate Judge